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REMARKS

Claims 1-51 are pending in the present application. The time period to file a response without an extension of time was December 16, 2003. However, Applicants have elected a two-month extension and therefore, this response was due on February 16, 2004. February 16, 2004 was the third Monday in February, a federally recognized holiday. Accordingly, Applicants have timely filed this response on February 17, 2004. A petition for a two-month extension of time is attached. Applicants request the Office charge Deposit Account No. 16-2463 for all appropriate extension and additional claims fees.

Applicants gratefully acknowledge the Examiner's statement that, "[c]laims 3 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicants have rewritten claims 3 and 9 in independent form as new claims 50 and 51 and they are now believed to be allowable. Regarding the remaining claims, reconsideration is respectfully requested.

The Examiner rejected originally presented claims 1, 2, 4-8 and 10-23 under 35 U.S.C. §102(b) as being anticipated by Reddy (5,626,893). The Examiner has stated, in part, that, "Reddy discloses a composition containing 85% rice flour and a rice component whose size is smaller than #80 mesh as in claims 1, 2 and 4. (col. 3, lines 12-20, col. 5, lines 20-30, (no. 6, in particularly), col. 25, lines 40-60). The composition is a coating composition because it coats cheese, in order to provide anti-caking functions (abstract)."

Independent claims 1, 7, 12, 17, 19, 21, 23, 42 and 49 of the present application have been amended to state or as newly presented (claims 42 and 49) state, "the coating composition is substantially free of reticulation after at least partially thermally processing and freezing a food substrate at least partially coated with the coating composition." New claim 48 similarly requires thermal processing and that the coated food product be substantially free of reticulation after freezing.

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The Reddy reference is directed toward improved anti-caking agents for use on cheese, especially in the pizza industry." (See Column 2, lines 66-67). Significantly, cheese melts upon thermally processing. As a result, upon thermal processing, the coating on the cheese of the Reddy reference intermixes with the melted cheese and no longer functions as a coating. In contrast, Applicants thermally process substrates that have been coated with the coating compositions according to the claims and Applicants have unexpectedly found that little or no reticulation occurs after thermal processing and freezing. This is clearly not disclosed or suggested by the Reddy reference, which loses its coating when the cheese melts. Accordingly, Applicants respectfully submit the currently amended and newly presented claims requiring the coated substrate be at least partially thermally processed and subsequently frozen or at least partially thermally processed, subsequently frozen and further thermally processed are in condition for allowance.

Furthermore, the Reddy reference does not disclose coating a potato substrate, a meat, or a vegetable with the coating compositions as claimed therein. Nothing in the '893 patent would suggest to one of ordinary skill to use an anti-caking composition for cheese on a potato substrate, a meat, or a vegetable. To Applicants' knowledge, these substrates are not coated for anti-caking purpose. Therefore, there would not have been any motivation to apply the coating of the '893 patent to these other substrates. As such, claims directed toward the coating applied to a potato substrate, a meat, or a vegetable are also believed to be allowable.

Accordingly, Applicants respectfully submit that all of the pending claims are novel and not obvious in view of the cited Reddy reference and are in condition for allowance. A notice to that effect is earnestly solicited.

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Applicants have made a concerted effort to the place the present application in condition for allowance. In the event there are any remaining informalities or any other issues requiring Applicants' assistance, Applicants request that the Examiner call the undersigned attorney at (616) 949-9610.

Respectfully submitted,

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Date

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